

Monte J. White & Associates, PC
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

Melville Arthur Moulton

§ CASE NO. 12-10087-RLJ-13

§

§ HEARING DATE: 10/30/2013

DEBTOR(s)

§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 09/06/2013

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 3/21/2012
2. Date of Section 341 Meeting: 5/4/2012
3. First Payment Date: 4/20/2012
4. Date of Confirmation: 6/12/2012
5. Total Plan Term Prior to this Modification: 60
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 18
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 42
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 10/20/2013
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$10,625.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$10,625.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$625.00

13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:
TRCC 1/24/2012

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

 x Plan payments remain at \$625.00 month.

Any arrears indicated in item 8 above shall be cured by the following method: N/A

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$625.00 will resume on or before 10/20/2013 for 42 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount remains the same in the amount of \$37,500.00

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2006-1. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO
CodeName Class Amount Collateral Value Interest Treatment

| | | | | |
|----|--------------------|---------------------|------------|--|
| CT | S-First State Bank | 2004 Coyote Tractor | \$1,800.00 | Surrender in full satisfaction of debt |
|----|--------------------|---------------------|------------|--|

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee.

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Debtor wishes to surrender the tractor to First State Bank.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation has been served by me on 09/06/2013, on all parties on the attached matrix, by ECF and/or United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-1
Case 12-10087-rlj13
Northern District of Texas
Abilene
Fri Sep 6 12:03:00 CDT 2013

United States Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-0996

306 Federal Building
1205 Texas Avenue
Lubbock, TX 79401-4037

CAPITAL ONE BANK -USA, N.A.
PO Box 12907
Norfolk VA 23541-0907

Chase
P.O. Box 15298
Wilmington, DE 19850-5298

Chela-Sallie Mae
Attn: Claims Department
PO Box 9500
Wilkes-Barre, PA 18773-9500

Compass Bank
Attn: Bankruptcy
401 W. Valley Ave
Birmingham, AL 35209-4800

Compass Bank
P.O. Box 10566
Birmingham, AL 35296-0001

Compass Bank -Secured Department
CO Ascension Capital Group
P.O. Box 201347
Arlington, TX 76006-1347

(p)COMPASS BANK
AL BI-HW REC
PO BOX 10566
BIRMINGHAM AL 35296-0002

Cottonwood Financial Texas, LP
1901 Gateway Drive
Suite 200
Irving, TX 75038-2425

Edna A. Moulton
6941 A Hwy 83
Ovalo, TX 79541-2319

First State Bank
441 Graham St.
Tuscola, Tx 79562-2225

Gemb-JC Penny
Attention: Bankruptcy
PO Box 103104
Roswell, GA 30076-9104

Hendrick Medical Center
Collection Department
1900 Pine Street
Abilene, Texas 79601-2432

Hsbc Bank
ATTN: BANKRUPTCY
PO BOX 5213
Carol Stream, IL 60197-5213

Internal Revenue Service
1100 Commerce
MC 5029 DAL
Dallas, TX 75242-1100

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Main Street Acquisition Corp., assignee
of CHASE BANK USA, N. A.
c o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701

Melville Arthur Moulton
6941 A Hwy 83
Ovalo, TX 79541-2319

(p)MICHAEL REED OR LEE GORDON
PO BOX 1269
ROUND ROCK TX 78680-1269

Monte J. White & Associates, P.C.
402 Cypress, Suite 310
Abilene, TX 79601-5151

PRA Receivables Management, LLC
POB 41067
NORFOLK, VA 23541-1067

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Sallie Mae PC Trust
CO Sallie Mae Inc.
220 Lasley Ave
Wilkes-Barre, PA 18706-1496

Sams Club - GEMB
Attention: Bankruptcy Department
PO box 103104
Roswell, GA 30076-9104

Sears-cbna
Po Box 6282
Sioux Falls, SD 57117-6282

Taylor CAD
co Michael Reed
P.O. Box 1269
Round Rock, TX 78680-1269

Taylor Co. Central Appraisal District
1534 South Treadaway Blvd
Abilene, TX 79602-4927

(p)COTTONWOOD FINANCIAL DBA THE CASH STORE AN
1901 GATEWAY DRIVE
SUITE 200
IRVING TX 75038-2425

(p) US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

Wells Fargo
P.O. Box 54349
Los Angeles, California 90054-0349

Wells Fargo Bank, N.A.
100 W Washington Street
Phoenix, AZ 85003-1828
S4101-08C

Wells Fargo Bank, N.A., dba Wells Fargo Deal
P.O. Box 19657
Irvine, CA 92623-9657

Wfs Financial-Wachovia Dealer Services
PO Box 3569
Rancho Cucamonga, CA 91729-3569

Pamela Jean Chaney
Monte J. White & Associates, P.C.
American State Building
402 Cypress, Ste. 310
Abilene, TX 79601-5151

Walter 12,13 OCheskey
6308 Iola Avenue
Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Compass Bank Visa
2009 Beltline Parkway
Decatur, AL 35603

Internal Revenue Service
PO Box 21126
Philadelphia, PA 19114

Michael Reed
McCreary Veselka, Bragg & Allen P.C.
PO Box 1269
Round Rock, TX 78680

Portfolio Recovery Associates, LLC
CO Jc Penney
POB 41067
Norfolk VA 23541

(d)Portfolio Recovery Associates, LLC
CO Sams Club
PO Box 41067
Norfolk VA 23541

(d)Portfolio Recovery Associates, LLC
CO Sears Premier Card
PO Box 41067
Norfolk VA 23541

(d)Portfolio Recovery Associates, LLC
c/o Sears Premier Card
POB 41067
Norfolk VA 23541

The Cash Store
4245 Southwest Dr.
Abilene, TX 79606

US BANK N.A.
BANKRUPTCY DEPARTMENT
P.O. BOX 5229
CINCINNATI, OH 45201-5229

(d)Us Bank
Po Box 5227
Cincinnati, OH 45201

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Compass Bank -Secured Department

(d)PRA Receivables Management, LLC
POB 41067
Norfolk, VA 23541-1067

(d)Taylor CAD
co Michael Reed
P.O. Box 1269
Round Rock, TX 78680-1269

(d) Melville Arthur Moulton

6941 A Hwy 83

Ovalo, TX 79541-2319

End of Label Matrix

Mailable recipients 36

Bypassed recipients 4

Total 40